# HANDBOOK

(For City Departments)

# LEGISLATIVE PROCESS

## BOARD OF SUPERVISORS
## CITY AND COUNTY OF SAN FRANCISCO

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## INTRODUCTION

This handbook is designed to provide the city departments with a guide and/or reference tool. While this handbook provides general information, it may be necessary to consult with the Legislative Division of the Clerk of the Board of Supervisors Office.

**Gloria L. Young**
Clerk of the Board

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Table of Contents

| | |
|---|---|
| San Francisco Legislative Process | 1 |
| Cover Letter Sample | 5 |
| Motion Checklist | 6 |
| Motion Boilerplate Format | 8 |
| Motion Sample | 9 |
| Resolution Checklist | 10 |
| Resolution Boilerplate Format | 12 |
| Resolution Sample | 13 |
| Ordinance Checklist | 14 |
| Ordinance Boilerplate Format | 16 |
| Ordinance Sample | 17 |
| Ordinance, Legislative Digest | 18 |
| Department requests Supervisor to sponsor and introduce legislation at a Board meeting | 19 |
| Email to BOS Legislation Instructions | 20 |
| Legislation Deadline Schedule | 21 |
| Policy | 22 |
| Amendments: Minor Changes | 23 |
| Amendments: Major Changes | 24 |
| Grant package | 25 |
| Grant Resolution Boilerplate Format | 32 |
| Quick Reference | 33 |
| Who to Call | 34 |

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# San Francisco's Legislative Process

## *LEGISLATIVE ACTIONS*

Legislation consists of ordinances (municipal regulations or laws), resolutions (formal expression of intention, opinion, or will) and occasionally formal motions (a proposal for action). Six votes are required to pass ordinances, resolutions and motions unless a greater number is required by State law, Charter provision, Ordinance or Board Rule. The Rules of Order contain an index to votes required on various matters. A majority of those present is required to amend proposed measures and to approve most parliamentary motions.

**Ordinances** are prepared by the City Attorney and approved as to form by the City Attorney. A Supervisor may request a draft of an ordinance by submitting a request on an "introduction" form to the Clerk, who then requests the City Attorney to prepare the ordinance. The Supervisor may also make the request directly to the City Attorney.

**Resolutions** are usually prepared by the office of the sponsoring Supervisor or prepared by staff within a City department.

**Motions** are usually prepared by the office of the sponsoring Supervisor or prepared by staff within a City department.

## *LEGISLATIVE DIGEST*

The Board requests the City Attorney's office to provide, as a routine practice, a brief digest of each proposed ordinance of more than two pages, preferably so that it is available at the time of ordinance introduction. The Board asks that each digest be brief and explain in as simple English as possible the effects of the ordinance on existing law. A cover letter from a department head may summarize the legislation.

## *INTRODUCED LEGISLATION*

An ordinance or resolution is introduced in writing by a member of the Board by presenting it to the Clerk, pursuant to Board rules, or by presenting it in a Board meeting. When a department head, or a commission established by the Charter, proposes an ordinance or resolution, it is normally brought to the Office of the Clerk of the Board prior to Wednesday noon, listed at the rear of the Board agenda the following Monday, and considered introduced by the Board President at that time.

At a Board meeting, after completion of the Board's action on legislation submitted by committees, each member is afforded an opportunity during "roll call" to introduce matters they have not previously submitted to the Clerk,

including ordinances or resolutions for reference to committee, requests for hearings to be held to consider specific problems, and requests that letters of inquiry be sent. Under recent amendments to the Ralph M. Brown Act (the state law concerning open meetings) and San Francisco's Sunshine Ordinance, the Board cannot take action on items not on the agenda except in very, very limited circumstances.

### *SUNSHINE ORDINANCE*

The Sunshine Ordinance is a combination open meeting law and public record laws. A copy of the full text (Chapter 67, Administrative Code) is available at http://www.ci.sf.ca.us/bdsupvrs/sunshine.htm

### THE LEGISLATIVE PROCESS:

**FIRST STEP:** **Write** the legislation. Ordinances are normally prepared by the City Attorney at the request of a Supervisor, the Mayor, a department head, or a commission, based on a draft or other written request. The City Attorney must approve an ordinance as to form before its introduction. The City Attorney prepares a brief digest of any ordinance of more than two pages.

Resolutions, if not bond related, are normally prepared by a Supervisor or by a department requesting the action. More complex resolutions are sometimes prepared by the City Attorney based on a draft submitted by a Supervisor or department. Citizens occasionally submit drafts of proposed resolutions to individual Supervisors. Resolutions authorizing grant expenditures must be accompanied by a Grant Information Sheet and by a "disability access checklist," and before submittal be approved by the Mayor and by the Controller's Grants Division. Resolutions concerning interim zoning controls and bonds must first be approved by the City Attorney.

**SECOND STEP:** Have the legislation **introduced**. Supervisors, the Mayor, and department heads submit ordinances and resolutions to the Clerk for introduction. Supervisors may also introduce requests for committee hearings on a subject matter without having legislation. Upon introduction, the President of the Board refers legislation and subject matter hearing requests to one of the standing committees for public hearing.

**THIRD STEP:** Have the legislation placed on a **committee agenda**. The Finance Committee meets each Wednesday. Other standing committees meet once or twice a month. Committee chairs have jurisdiction on whether and when to calendar matters for hearing. Legislation is advertised to be heard at a committee meeting. Committees may not consider matters that have not been advertised in the official newspaper. There are some items that require special notices prior to the hearing. Check with the Committee Clerk.

**FOURTH STEP:** Obtain a **recommendation** from the committee. The public is invited to attend and to speak on any matter before the committee. In order to be sent to the full Board, legislation needs the votes of two of the three members of a committee, as introduced or as amended by the committee. A committee may send legislation to the full Board "without recommendation" or with recommendation of "do not pass." Other common committee actions are to "continue to a date certain," "continue to the call of the chair," or "table." If a committee has not acted on an ordinance or resolution within 30 days after its referral to committee, any member of the Board may cause the matter to be "called from committee" and considered by the full Board at the next meeting (Refer to the Rules of Order). The Board, by a two-thirds vote, may waive the thirty-day rule (Refer to Rules of Order regarding Committee Hearing on Major Policy Issues Deferred for 30 Days).

**FIFTH STEP:** Obtain the majority **vote** (six of the eleven members) of the Board. For ordinances, this must be done at two separate meetings. On some matters, such as overruling the Planning Commission, eight votes are required. A few urgent or very routine resolutions are adopted on the day they are introduced, without being referred to committee. Such matters require a unanimous vote of the Supervisors present.

**SIXTH STEP:** Obtain the **approval** of the Mayor. Legislation is sent to the Mayor no later than the day after approval by the Board. The Mayor then has 10 calendar days to approve or veto legislation. If the Mayor approves an ordinance it normally goes into effect 30 days after that approval. If the Mayor approves a resolution it goes into effect immediately. If the Mayor vetoes legislation, it becomes effective only if eight members of the Board vote within 30 days to override the veto. If the Mayor neither approves nor vetoes, the legislation is deemed approved.

## ELECTRONIC COPY OF PROPOSED LEGISLATION

An electronic copy of the proposed resolution, ordinance or motion shall be sent to the Clerk of the Board.

## THIRTY DAY RULE

For major policy matters, the Board has a rule, which provides that legislation, which will create, or significantly change City policy may not be heard by the Board committee until 30 days after its introduction. Under the rule, the Clerk, subject to reversal by the Board President, determines whether the legislation meets the standard of the rule.

## EFFECTIVE DATE OF ORDINANCES

Most ordinances become effective at the beginning of the 31st day after approval by the Mayor. That is so that during the 30-day period voters can sign a referendum petition.

## EFFECTIVE DATE OF RESOLUTIONS

Most resolutions become effective on signature by the Mayor.

All legislation submitted to the Clerk of the Board must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person.

---

COVER LETTER SAMPLE

Department/Board/Commission Stationery

Date

Gloria L. Young, Clerk of the Board
Board of Supervisors
1 Dr.Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Young:

Attached please find an original and four copies of proposed resolution/ordinance/motion for Board of Supervisors approval, which (reason for legislation).

Cite any pertinent information; reference to applicable codes.

The following is a list of accompanying documents (five sets):
List attachments.
List attachments.

Cite reason for special timeline.

The following person may be contacted regarding this matter:
Name and telephone number of contact person.

Department/Board/Commission approval

Here is a checklist for Motions.

____ The original and four copies of the Motion, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person, and appropriate department/board/commission approvals.

____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Motion No." in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Motion number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (Order paper from Reproduction Bureau).

____ Short title: Single spaced, beginning on line 1, in brackets [ ], type a short subject phrase or a Plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, consisting of no more than 250 characters/spaces.

___ Insert two returns (equal to four line spacing).

____ Long title: Double space the legal title in bold print (Arial, 12, bold).
**Title is in bold using upper and lower sentence case. The title always starts with the word "Motion" followed by a word ending in "ING" (a gerund), and ends with a period (.)**
**(i.e. Motion asking the Legislative Analyst to report on Assembly Bill 17. )**

____ Insert two returns between Title and Text. Text is double spaced, in normal print (Arial, 12).

____ The word MOVED is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.

____ If you need to cite some introductory statement of fact, use the Whereas format before you do the Moved clause.

____ The word WHEREAS is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.

____ A Whereas clause, if followed by another whereas clause, ends "; and,"

____ A Whereas clause, if followed by a "MOVED" clause, ends "; now, therefore, be it"

____ A Moved clause, if followed by another moved clause, ends "; and, be it"

____ Subsequent moved clause begins, indented five spaces, "FURTHER MOVED,"

____ Nothing is stapled to the original copy of the motion.

____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this motion as if set forth fully herein. (Note: Related materials must be submitted at the time the motion is delivered.)

____ The sponsor of the motion is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click "View; select "Header and Footer"; click the box to switch to the footer and enter name of Supervisor or Department.)

[The Plain English description, typed in exactly 12 pt spacing, Arial 12 pt, no more than 250 characters/spaces in brackets [ ], should clearly state the purpose of the legislation as the legal title sometimes does not state the reason.]

**Motion approving new legal title format, using upper/lower case letters, Arial 12 pt, exactly 24 pt spacing, bold, begins with word "Motion" followed by word ending in "ing" (a gerund, i.e., approving, etc.), ends with period. Note: only legal title is in bold.**

WHEREAS, If you need to explain the facts leading to the purpose of the motion, use the "WHEREAS" format; and,

WHEREAS, The first letter of the first word of the statement following the "WHEREAS," is capitalized and rest of text is in upper and lower case; and

WHEREAS, If reference is made to related materials (agreement, exhibit, map, etc.), do not use the word "attached." Use the following wording: on file with the Clerk of the Board of Supervisors in File No. , which is hereby declared to be a part of this motion as if set forth fully herein; and

WHEREAS, The last "WHEREAS," statement ends with: ; now, therefore, be it

moved, Capitalize the first letter of the first word, rest of text in upper and lower case; and, be it

FURTHER MOVED, That the first letter of the first word following "FURTHER MOVED," is capitalized and rest of text is in upper and lower case; and, be it

FURTHER MOVED, That the last "FURTHER MOVED" statement ends with a period.

SAMPLE

FILE NO. MOTION NO.

[Declaration of Emergency]

**Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.**

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

SAMPLE

Here is a checklist for Resolutions.

____ The original and four copies of the resolution, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person, and appropriate department/board/commission approvals.

____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Resolution No." printed in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Resolution number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (Order paper from Reproduction Bureau).

____ Short title: Single spaced, beginning on line 1, in brackets [ ], type a short subject phrase or a Plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, single spaced, consisting of no more than 250 characters/spaces. Insert two returns (equal to four line spacing).

____ Long title: Double space the legal title of the resolution in bold print (Arial, 12, Bold).
**Title is in bold using upper and lower sentence case, always starts with the word "Resolution" followed by a word ending in "ING" (a gerund), and ends with a period (.) .**
**(i.e. Resolution urging the State Legislature to adopt Assembly Bill 17 relating to... )**

____ Insert two returns between Title and Text. Text is double spaced, in normal print (Arial, 12).

____ The word WHEREAS is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.

____ A Whereas clause, if followed by another whereas clause, ends "; and,"

____ A Whereas clause, if followed by a resolved clause, ends "; now, therefore, be it"

____ A Resolved clause, if followed by another resolved clause, ends "; and, be it"

____ Subsequent Resolved clauses, begins, indented five spaces "FURTHER RESOLVED,"

____ Nothing is stapled to the resolution.

____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this resolution as if set forth fully herein". (Note: Related materials must be submitted at the time the resolution is delivered.)

____ If reference is made to voiding an earlier resolution it is called "rescinding" (not repealing).

____ If resolution relates to a bond measure, it must be approved as to form by the City Attorney.

____ If resolution approves a grant expenditure, the resolution must be approved by the Mayor and by the Controller's Grants Division, and be accompanied by required supporting data.

____ If resolution is to be forwarded to federal or state legislative or administrative officials, it should end with:

"FURTHER RESOLVED, That a copy of this resolution be forwarded to his Honor, the Mayor, with a request that he transmit copies to (e.g. the members of Congress from San Francisco and the United States Senators from California) with a request they take all action necessary to achieve the objectives of this resolution."

____ If a resolution is endorsing or opposing federal or state legislation, a copy of the bill must be attached.

____ The sponsor of the resolution is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click "View; select "Header and Footer"; click the box to switch to the footer and enter name of Supervisor or Department.)

[The Plain English description, typed in exactly 12 pt spacing, Arial 12 pt, no more than 250 characters/spaces in brackets [ ], should clearly state the purpose of the legislation as the legal title sometimes does not state the reason.]

**Resolution approving new legal title format, using upper/lower case letters, Arial 12 pt, exactly 24 pt spacing, bold, begins with word "Resolution" followed by word ending in "ing" (a gerund, i.e., approving), ends with period. Note: only legal title is in bold.**

WHEREAS, The first letter of the first word of the statement following the "WHEREAS," is capitalized and rest of text is in upper and lower case; and

WHEREAS, Use this same format for each "WHEREAS" statement of fact; and,

WHEREAS, If reference is made to related materials (agreement, exhibit, map, etc.), do not use the word "attached." Use the following wording: on file with the Clerk of the Board of Supervisors in File No. , which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The last 'WHEREAS," statement ends with: ; now, therefore, be it

RESOLVED, That the first letter of the first word following the "RESOLVED," is capitalized and rest of text is in upper and lower case; and, be it

FURTHER RESOLVED, That the first letter of the first word following "FURTHER RESOLVED," is capitalized and rest of text is in upper and lower case; and, be it

FURTHER RESOLVED, That the last "FURTHER RESOLVED" statement ends with a period.

SAMPLE

[Airport Lease for Eagle Airlines, Ltd.]

**Resolution approving a lease agreement for cargo warehouse and office space in the West Field Cargo Building I, between Eagle Airlines, Ltd., and the City and County of San Francisco, acting by and through its Airport Commission.**

WHEREAS, The San Francisco International Airport (The "Airport") is constructing a new cargo facility, referred to as West Field Cargo Building I, which is scheduled for completion in the summer 2000; and,

WHEREAS, Airport staff has negotiated a Lease with Eagle Airlines, Ltd., for warehouse and office space in the West Field Cargo Building I; and,

WHEREAS, On, June 6, 2000, pursuant to Resolution No. 00-1000, the Airport Commission approved the Lease with Eagle Airlines, Ltd. A copy of the form of the lease is on file with the Clerk of the Board of Supervisors in File No. , which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That this Board of Supervisors hereby approves the Ten Year, Four Month Lease for cargo warehouse and office space in the West Field Cargo Building I, between Eagle Airlines, Ltd., and the City and County of San Francisco, acting by and through its Airport Commission.

SAMPLE

Here is a checklist for Ordinances.

____ The original and four copies of the ordinance approved as to form by the City Attorney, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person.

____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Ordinance No." in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Ordinance number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (Order paper from Reproduction Bureau).

____ Short title: Single spaced, beginning on line 1, in brackets [ ], type a short subject phrase or a Plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, single spaced, consisting of no more than 250 characters/spaces. Insert two returns (equal to four line spacing).

____ Long title: Double space the legal title of the ordinance in bold print (Arial, 12, Bold).
**Title in bold, using upper and lower sentence case, always start with the word "Ordinance" followed by a word ending in "ING" (a gerund), and ends with a period (.)**

____ Insert two returns between Title and Text. Text, double spaced, in normal print, (Arial, 12).

____ Nothing is stapled to the ordinance.

____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this ordinance as if set forth fully herein". (Note: Related materials must be submitted at the time the ordinance is delivered.)

____ If longer than two pages, it must be accompanied by a brief Legislative Digest prepared by City Attorney.

____ If appropriation ordinance, the Mayor must approve before submittal.

____ If appropriation ordinance, the Controller must approve before submittal.

____ If an emergency ordinance, the title ends with "; an emergency measure." and the text states the nature of the emergency.

____ If amending a municipal code, name the specific code and section numbers in title.

____ Contains no Whereas clauses, but may have a findings section.

____ Must be approved as to form by City Attorney.

____ Title explains purpose of change to existing law. If adding new Chapter to any municipal codes, the new section numbers must also be cited in the title.

____ Ordinance must be confined to one subject which is clearly expressed in the title.

____ Ordinance starts "Be it ordained by the People of the City and County of San Francisco:"

If the ordinance amends any Municipal Code, immediately following the title is

NOTE: Additions are *italic, Times New Roman, single underlined*; deletions are ~~*strikethrough italic, Times New Roman*~~
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

____ The sponsor of the Ordinance is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click "View; select "Header and Footer"; click the box to switch to the footer)

[The Plain English description, typed in exactly 12 pt spacing, Arial 12 pt, no more than 250 characters/spaces in brackets [ ], should clearly state the purpose of the legislation as the legal title sometimes does not state the reason.]

**Ordinance approving new legal title format, using upper/lower case letters, Arial 12 pt, exactly 24 pt spacing, bold, begins with word "Ordinance" followed by word ending in "ing" (a gerund, i.e., approving), ends with period. Note: only legal title is in bold.**

Note: Additions are *single-underline italics Times New Roman*; deletions are ~~*strikethrough italics Times New Roman*~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Code Title Code is hereby amended by amending OR adding Section Section #(s), to read as follows:

Sec.

Section 2.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
ATTORNEY'S NAME
Deputy City Attorney

SAMPLE

[Notice to Recycling Companies]

**Ordinance amending the San Francisco Building Code by amending Section 106.3.2.3.2 to provide notice of applications for and issuance of demolition permits to recycling companies upon their payment of a specified fee.**

Note: Additions are *italic, Times New Roman, single underlined*; deletions are ~~*strikethrough italic, Times New Roman*~~
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Building Code is hereby amended by amending Section 106.3.2.3.2, to read as follows:

Sec. 106.3.2.3.2 Notice to interested parties. Any *of the following* organization*s* or group*s* ~~*with an interest in architectural or historical preservation or housing conservation*~~ may request notification of the receipt by the Department of an application for a demolition permit and of the issuance thereof*:*

1. *architectural or historic preservation or housing conservation groups*
2. *recycling companies*.

Such request shall be in writing to the Department, on forms furnished by the Department. The organization or group shall specify the area(s) of the City and County of San Francisco for which notification is requested and the Director shall establish the boundaries of such areas for purposes of such notification. Requests shall be made annually, within 30 days after July 1 of each year. See Section 110, Table 1-L - Public

//

information - for fees. Fees may be prorated by the Department for any requests which are received at other times during the year.

Section 2.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
ATTORNEY'S NAME
Deputy City Attorney

File No.

## LEGISLATIVE DIGEST

[Insert Plain English Short Title -- no longer than 250 characters]

**Insert complete title of ordinance in bold using lower case letters.**

### Existing Law

Insert summary of current provisions of law being amended

### Amendments to Current Law

Insert summary of amendments to current law being made by the ordinance

### Background Information

Insert background information to asist reader in understanding the "legislative history" or rationale for the legislation

## REQUESTING SUPERVISOR TO INTRODUCE LEGISLATION DURING A BOARD MEETING BY A DEPARTMENT REPRESENTATIVE

On occasion the Department representative may request a member of the Board of Supervisors to sponsor and introduce legislation at an upcoming Board meeting.

The following procedures are established to ensure that the Clerk of the Board's office receives the electronic documents of a matter to be sponsored and introduced by a Supervisor (at the request of Department) during Roll Call For Introductions at a Board Meeting.

The Department staff shall:

- Provide the sponsoring Supervisor with a copy of the documents to be introduced by the Supervisor during roll call at a Board meeting.

- Provide the sponsoring Supervisor with the required original legislation and four copies, with supporting documents, to be given to the Clerk's staff at the Board meeting.

- Provide the electronic document (legislation) via cc Mail to BOS Legislation.

- Add to the *e-mail boilerplate message the following sentence:

  "This matter is to be introduced by Supervisor (fill in name) at the (fill in date) Board meeting."

- The electronic document may be sent anytime after Wednesday noon but no later than the end of the Board meeting at which it is being introduced.

*See instructions for sending E-mail regarding proposed legislation.

## INSTRUCTIONS FOR SENDING E-MAIL TO THE BOARD OF SUPERVISORS REGARDING PROPOSED LEGISLATION

All electronic copies of proposed legislation to be introduced to the Board of Supervisors are to be sent to the Board as an attachment(s) to an e-mail message.

Please use the e-mail format underneath the double underlines below these messages. You must use it EXACTLY as shown (i.e., complete the fields, copy the entire area under the double underlines, start a new message in cc:Mail, and then paste the copy into the message area).

**NOTE:** all typeface is in Courier 12 pt so that, when copied/pasted, it will translate correctly in cc:Mail area, line up correctly, etc. Do not convert to any other typeface. Do not change tabs or spacing. Do NOT copy the double underlines.

**ADDITIONAL VITAL NOTE:** New Proposed Legislation **MUST** be e-mailed to BOS Legislation **no later than 9:00 a.m. Wednesday** in order to be included in the regular Board Agenda at the following week's regular Board meeting or for referral to Committee.

**Remember to ADD THE ATTACHMENT(S) to the cc:Mail** before you send it to BOS Legislation.

---

CITY & COUNTY OF SAN FRANCISCO CITY ATTORNEY'S OFFICE

BOARD OF SUPERVISOR LEGISLATION

To: BOS Legislation
Date March 22, 2001

RE:

Attached is proposed legislation concerning

The attachments are listed below.

Attachments
# File Name Description (motion, res, ord)

1.
List Exhibits/documents not included in electronic form (i.e., confidential letters) but delivered in hard copy instead.

1.

Contacts:
Name, Deputy City Attorney
Phone:
Name, Secretary
Phone:

---

## Legislation Schedule

| | Monday | Tuesday | Wednesday | Thursday | Friday | Saturday |
|---|---|---|---|---|---|---|
| 1 | | | 9:00 a.m. electronic copy<br><br>12:00 Noon deadline*<br><br>**<u>Supervisors</u> may submit by 12:00 noon, resolution or motion to be added to the For Adoption Without Committee Reference portion of the Board agenda for the next Board meeting**<br><br>**Departments** may submit by 12:00 noon legislation to appear on the back of the upcoming Board agenda for referral to committee.<br><br>If Department misses above deadline, may ask a Supervisor to introduce the matter at the next Board meeting (Monday). | . | | |
| 2 | **<u>Supervisor</u> introduce matters during Roll Call for Introduction at a Board meeting**<br>• On his/her own behalf<br>• Sponsors Department | Passed legislation is transmitted to the Mayor Tuesday, by 5:00 p.m. | | | | |
| 3 | | | | | | Publication notice (Ad) |
| 4 | | Committee may hear the matter** | Committee may hear the matter** | Committee may hear the matter** | | |
| 5 | Matter recommended from Tuesday or Wednesday meeting appears on this Board Agenda | | | | | |
| 6 | Matter recommended from Thursday meeting appears on this Board Agenda | | | | | |

Note: The Mayor has ten days to sign the legislation.

| | |
|---|---|
| 7 | Matter approved week 5: An enacting number is assigned. |
| 8 | Matter approved week 6: An enacting number is assigned. |

*This deadline day moves to Tuesday when Monday or Thursday is a holiday.

**It is at the discretion of the Committee Chair when a matter is scheduled for hearing.

## Changes to the Legislation

If the Department discovers a correction to the legislation, the following policies are established regarding substituting the corrected version to the Clerk of the Board.

Because the electronic copy cannot be modified once it is attached as an Attachment to the official Board File, any change to the legislation requires (1) a new version be prepared as a separate document; (2) the revised legislation with cover letter be submitted for processing; (3) the revised electronic copy be provided; (4) the official file record is updated and another version is attached.

The following policies are established.

Policy — The Clerk of the Board's staff will not process any file if the exhibits or attachments mentioned in the body of the legislation are missing. The documents will be returned to the department to resubmit with its exhibits and attachments.

Policy: — The electronic documents received will be processed "**as is**" by the Clerk of the Board's staff.

Policy — Changes, whether clerical or not, can only be done as follows:

- By submitting a substitute legislation to Board of Supervisors to be processed all over again (electronic copy by 9:00 a.m. and paper copy by noon Wednesday) and the official file will be updated with a new version attachment.
- Amended at a Committee meeting.
- Amended at a Board meeting.

Policy — Adding Sponsor names to the electronic copy of the legislation can only be done at the following stages:

- When first introduced by a Supervisor.
- When the legislation is amended.

You must check the Legistar legislative file record history for a complete list of sponsors as the electronic copy of the legislation attachment may not list all the names.

For Clerk's Office Only

This is the process the Clerk of the Board's staff will follow when minor amendments are adopted by the Committee.

**Minor amendments adopted by Committee/Board, prepared by the Clerk.**

*Note: Committee/Board amendment additions are double underlined
Committee/Board amendment deletions are ~~strikethrough normal~~

| | |
|---|---|
| Committee/Board Clerk | Retrieve the Legistar legislation attachment; save as new document with new name in a different folder; make minor amendments |
| Committee/Board Clerk | Verify the amendment with Deputy City Attorney, if necessary |
| | Email the new version to Deputy City Attorney with return receipt. |
| Committee/Board Clerk | After verifying the document, save as a new attachment to the Legistar history record. |

**Instructions to add or delete text made by the Committee/Board:**

Highlight the text you want to add or delete;

Go to Format; Font; make your selection as follows:

Underline: Select Double (to add text)

Effects: Select Strikethrough (to indicate text to be deleted)

Reminder: Standard Font: Arial
Font Style: Regular
Size: 12

For Clerk's Office Only

This is the process the Clerk of the Board's staff will follow when major amendments are adopted by Committee.

**Complicated (major) amendments requiring City Attorney's assistance.**

*Note: Board amendment additions are double underlined
Board amendment deletions are ~~strikethrough normal~~

| | |
|---|---|
| Committee/Board Clerk | If necessary, email notes of changes requested by Committee/Board and ask City Attorney to prepare the legislation; return receipt. |
| City Attorney | To prepare amended version, using the double underline and strikethrough normal notation) and email to Committee/Board Clerk as soon as possible, especially if there is a change in title and the matter has been recommended to the Board for the upcoming agenda; return receipt.<br><br>Print and sign paper copy, if appropriate, and deliver to Clerk. |
| Committee/Board Clerk | After verifying the document, save as a new attachment to the Legistar history record. |

**Instructions to add or delete text made by the Committee/Board:**

Highlight the text you want to add or delete;

Go to Format; Font; make your selection as follows:

Underline: Select Double (to add text)

Effects: Select Strikethrough (to indicate text to be deleted)

Reminder: Standard Font: Arial
Font Style: Regular
Size: 12

**Grant Accept and Expend Resolution Checklist**
Prepared by the Clerk of the Board of Supervisors, 1/5/00
(Administrative Code Sections 10.170-10.170-6)

**Grant Accept and Expend Resolutions** are used to obtain Board spending authorizations for grants that were not included in the Department's annual budget appropriation. Departments may apply for grants without getting prior authorization from the Board of Supervisors. However, accepting and spending all grant funds (and all gifts over $5,000) requires Board approval.

**Procedure**

Submit **1 original and 4 copies** of the grant resolution package to the Clerk of the Board of Supervisors by Wednesday noon, in order to be considered on the next week's Board agenda for referral to a Committee. The grant resolution package must include:

1. **Cover letter** addressed to the Clerk of the Board transmitting the proposed resolution and all background material. See accompanying Sample Cover Letter for format.

2. **Proposed Resolution** authorizing the acceptance and expenditure of grant funds, signed by the
   - **a.** Department Head
   - **b.** Mayor or Mayor's designee (obtaining signature is handled by the Mayor's Finance Office)
   - **c.** Controller or Controller's designee (obtaining signature is handled by the Controller's Grants Unit)

   The original copy of the Resolution must be on red-lined paper and must have signatures prior to being submitted to the Clerk. The four copies need not be signed.

   See Sample Grant Resolution boilerplate for the resolution format, page 31.

3. **Grant Information Form (this now includes Disability Checklist).** The original copy should be signed prior to submittal.

4. **Grant budget,** including expenditures by budget category and number of grant-funded positions, their classification and duration, as applicable.

5. **Copy of Grant Application** to funding agency.

6. **Copy of award letter** from funding agency, or letter of intent to award the grant, if available.

**Timeline**

Under normal circumstances, allow at least 4 weeks after submittal for Accept and Expend Resolutions to be reviewed by the Board of Supervisors and signed by the Mayor. The process is as follows:

1. **Mayor's Office review:** submit resolution package with Department Head's signature to Mayor's Office of Finance and Legislative Affairs for review and signature.

2. **Controller's Office review:** Submit package signed by Department Head and Mayor's Office to Controller's Office grants unit for Controller's signature.

3. **Submit to Clerk of Board of Supervisors by Wednesday noon:** Provide original and four copies to Clerk by Wednesday noon in order for the resolution to appear on the next week's Board agenda for referral to Committee.

4. **Committee review:** If approved by Committee, will be recommended to the full Board. It will appear on next available Board agenda, which may be one or two Mondays after the Committee meeting.

5. **Board of Supervisors Review:** If approved by Board of Supervisors, will be forwarded to Mayor for signature.

6. **Mayor's Signature:** Mayor has 10 calendar days to sign and return the resolution to the Clerk. It is then numbered, copied and distributed.

**Special Timeline Requirements:** If you have special timeline requirements you must state them in the cover letter so that the Clerk's office will be aware of your needs. We will do what we can to assist you… the key operative is **"Start the process early!"**

**Copies of the Adopted Resolution:** If you need to have a copy of the adopted Resolution to send to a funding agency, you may request a "Certified Copy" which is signed, dated, and has the seal of the City/County affixed or you may request a copy which will be an official copy without the seal.

TO: **Gloria L. Young, Clerk of the Board of Supervisors**

FROM:

DATE:

SUBJECT: **Accept and Expend Resolution for Subject Grant**

GRANT TITLE:

---

Attached please find the original and 4 copies of each of the following:

___ Proposed grant resolution; original signed by Department, Mayor, Controller

___ Grant information form, including disability checklist

___ Grant budget

___ Grant application

___ Grant award letter from funding agency

___ Other (Explain):

**Special Timeline Requirements:**

Departmental representative to receive a copy of the adopted resolution:

**Name:** **Phone:**

**Interoffice Mail Address:**

**Certified copy required Yes** ☐ **No** ☐

**(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).**

**File Number**: _____
(Provided by Clerk of Board of Supervisors)

## Grant Information Form
(Effective January 2000)

Purpose: Accompanies proposed Board of Supervisors resolutions authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title:

2. Department:

3. Contact Person: Telephone:

4. Grant Approval Status (check one):

[ ] Approved by funding agency [ ] Not yet approved

5. Amount of Grant Funding Approved or Applied for: $

6a. Matching Funds Required: $
b. Source(s) of matching funds (if applicable):

7a. Grant Source Agency:
b. Grant Pass-Through Agency (if applicable):

8. Proposed Grant Project Summary:

9. Grant Project Schedule, as allowed in approval documents, or as proposed:

Start-Date: End-Date:

10. Number of new positions created and funded:

11. If new positions are created, explain the disposition of employees once the grant ends?

12a. Amount budgeted for contractual services:

b. Will contractual services be put out to bid?

c. If so, will contract services help to further the goals of the department's MBE/WBE requirements?

d. Is this likely to be a one-time or ongoing request for contracting out?

13a. Does the budget include indirect costs? [ ] Yes [ ] No

b1. If yes, how much? $
b2. How was the amount calculated?

c. If no, why are indirect costs not included?
[ ] Not allowed by granting agency [ ] To maximize use of grant funds on direct services
[ ] Other (please explain):

14. Any other significant grant requirements or comments:

****Disability Access Checklist*****

15. This Grant is intended for activities at (check all that apply):

[ ] Existing Site(s) [ ] Existing Structure(s) [ ] Existing Program(s) or Service(s)
[ ] Rehabilitated Site(s) [ ] Rehabilitated Structure(s) [ ] New Program(s) or Service(s)
[ ] New Site(s) [ ] New Structure(s)

16. The Departmental ADA Coordinator and/or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local access laws and regulations and will allow the full inclusion of persons with disabilities, or will require unreasonable hardship exceptions, as described in the comments section:

Comments:

Departmental or Mayor's Office of Disability
Reviewer:_____
(Name)

Date Reviewed:_____

Department Approval:
_____
(Name) (Title)

_____
(Signature)

# Grant Resolution Boilerplate Instructions:

Boilerplates are pre-designed documents into which you can put specific information to meet a particular need. In this case, a grant resolution boilerplate has been created for you to use over and over, which should save you valuable work-time by enabling you to avoid recreating an entire document each time you need to submit a grant.

To use your newly created boilerplate, open the grant resolution boilerplate file; click on the first gray box and start typing. As you type, the gray area disappears and your text is entered. Click on and type the appropriate information in each gray box.

You'll note that in several areas, the instructions advise you to enter information or delete the whole paragraph. This is because each grant will require some individual modification; therefore, you may not need to supply all the various types of information which are requested in the boilerplate. You may also need to add your own "whereas", "resolved" or "further resolved paragraph" if you find you need more than are supplied in the boilerplate. See the various hard copy samples supplied for ideas on how to compose your resolution.

Also, Administrative Code Section 10.170-1(d) sets a policy that Departments should normally include eligible indirect costs in grant budgets, and requires that Grant Accept and Expend Resolutions discuss the treatment of indirect costs in the grant. Accordingly, there is a paragraph in the boilerplate which asks you to include information on indirect costs. We are giving you three alternative examples of language you may choose to insert for this paragraph as needed:

1. If indirect costs are ineligible you can state:

    - **"Whereas, The grant terms prohibit including indirect costs in the grant budget; now, therefore, be it"**

    - **"Further Resolved, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget."** (This Resolved paragraph must follow the first Resolved paragraph authorizing action or authority for the grant.)

1. If indirect costs are eligible but are waived to maximize funds for program use you can state:

    - **"Whereas, The Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; now, therefore, be it"**

- **"Resolved, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget."** (This Resolved paragraph must follow the first Resolved paragraph authorizing action or authority for the grant.)
-

1. If indirect costs are included you can state:

   - **"Whereas, The grant budget includes provision for indirect costs of $(insert amount) now, therefore, be it"** Please note: If you do have indirect costs you do not need a separate resolved statement authorizing them (as you do with the prohibited and waived costs); you would simply continue with your resolution making the next paragraph your first resolved paragraph:

   Example: **"RESOLVED That (Type your resolved text explaining the authority for your request) and be it"** Continue with another Further Resolved until you have finished the resolution.

You will leave the File No. and Resolution No. areas in the heading area at the top of the page blank. These will be filled in later at the Clerk of the Board's office.

Finally, don't forget to add the name of your department to the bottom (footer) of the boilerplate when you are filling it out. The department name can be added as follows:

1. Click on **View** on your toolbar.

2. Click on **header and footer** from the drop down list. A header/footer toolbar will open which will provide access to the footer area.

3. Click on the **button on the toolbar which says "Switch between header and footer"** This will open the footer area.

4. You can **now type in the name of your department.**

5. Click the **close button** on the header footer toolbar to finish and get back into the boilerplate.

When you are finished creating your resolution, print out the boilerplate and CHECK IT CAREFULLY for any spelling, punctuation or spacing errors.

Original resolutions must be printed on red line paper available through Reproduction Services

Save your document in whatever file folder your office chooses to use.

[Accept-Expend (Type - Federal or State) Grant]

**Resolution authorizing the Department of (type your department's name) to (type retroactively or delete) accept and expend a grant in the amount of $(type the amount) from the (type the name of the granting agency)for (type -the purpose of the grant).**

WHEREAS, (Type explanatory text to explain the purpose of the grant); and,

WHEREAS,(Continue to outline a specific need or restriction covered by grant OR delete this whole paragraph); and,

WHEREAS,(Continue outlining specifics of grant request OR delete this whole paragraph); and,

WHEREAS,(Following template instructions, enter one of 3 alternative indirect costs statements); now, therefore, be it

RESOLVED, That (Type your resolved paragraph if indirect costs are prohibited or waived OR If indirect costs are included, delete this paragraph and make the next paragraph your first resolved paragraph); and be it

FURTHER RESOLVED, That (Type your resolved text explaining the authority for your request); and be it

FURTHER RESOLVED, That (Continue outlining any additional authority provisions for your request OR delete this whole paragraph); and be it

FURTHER RESOLVED, That (Type a clarifying sentence explaining any specific restrictions or agreements on how the funds will be used OR delete this whole paragraph); and be it

FURTHER RESOLVED, That(Explain any waiver agreements OR wrap up your request).

SAMPLE

Recommended:

Approved: _____

Mayor

_____

Department Head

Approved: _____

Controller

SAMPLE

Quick Reference

| | |
|---|---|
| Ordinance | Must be approved as to form by the City Attorney<br><br>Must be sent to Committee |
| Resolution | Resolutions do not require City Attorney's signature, except for bonds and certain Redevelopment and land use matters.<br><br>Resolutions may contain department head and or commission signatures obtained before delivery to the Clerk of the Board. |
| Resolution –to accept and expend a grant | The resolution must have the Mayor's and Controller's signatures before delivery to the Clerk of the Board. |
| Resolution sponsor | The Department's name must appear at the footer (except when asking a Supervisor to sponsor the measure, the Supervisor's name should be filled in). |
| Background material | The legislation package must include all documents referenced in the body of the proposed legislation before delivery to the Clerk of the Board. |
| Legislation Package to contain the following documents | • Cover letter on Department stationery<br>• Proposed legislation with signatures<br>• Ordinance digest<br>• Supporting documents; such as, agreement, contract, State or Federal bill, environmental impact, lease, memorandum of understanding, reports, etc. |
| Deadline for Electronic copy | Wednesday, 9:00 a.m.<br><br>Email address: BOS Legislation. |
| Deadline for paper packet to be delivered to Clerk of the Board | Wednesday, noon |

Electronic copies of various documents from this handbook are available on the City's Intranet site located at http://citycenter

Search: Forms Center, by Dept, Board of Supervisors

- Grant package (Word 97 version, March 8, 2001)
- Motion package (Word 97 version, May 2001)
- Ordinance package (Word 97 version, May 2001)
- Resolution package (Word 97 version, May 2001)

**WHO TO CALL IN THE LEGISLATIVE DIVISION**

| **Committee Clerks** | **Phone Number** |
|---|---|
| Greg Hobson | 554-4441 |
| Gail Johnson | 554-4445 |
| Deborah Muccino | 554-4447 |
| Mary Red | 554-4442 |
| Victor Young | 554-7723 |
| **Legislative Support Staff** | |
| Lilia Dahlen | 554-7709 |
| Joy Lamug | 554-4712 |